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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                 | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------------|------------------|
| 10/551,611  | 09/30/2005  | Kensuke Sasaki       | SAH-010USA-PCT                      | 6173             |
| 27955   | 7590        | 01/15/2008           |                                     |                  |
| TOWNSEND & BANTA<br>c/o PORTFOLIO IP<br>PO BOX 52050<br>MINNEAPOLIS, MN 55402 |             |                      | EXAMINER<br>OJINI, EZIAMARA ANTHONY |                  |
|   |             |                      | ART UNIT                            | PAPER NUMBER     |
|   |             |                      | 3723                                |                  |
|   |             |                      | MAIL DATE                           | DELIVERY MODE    |
|   |             |                      | 01/15/2008                          | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/551,611 | <b>Applicant(s)</b><br>SASAKI, KENSUKE |  |
|                              | <b>Examiner</b><br>ANTHONY OJINI     | <b>Art Unit</b><br>3723                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Applicant's election of Group I, claims 1-4 in the reply filed on 11/7/07 is acknowledged. Claims 5,6 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/7/07.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, the cutting steps and the cutting tool must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if

only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C.

112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 11, the expression “marking auxiliary cutting lines by drawing on these faces” is unclear which faces applicant is referring to; in line 15, the phrase “from fourth to 12<sup>th</sup> or to 20<sup>th</sup> faces” is unclear which element applicant is referring to.

In claim 2, lines 8, 14, 15, 16, 18, the phrase “possible cut face” are unclear.

### ***Allowable Subject Matter***

Claims 1-4 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter: the art of record considered as a whole, alone or in combination, neither anticipates nor renders obvious a method for manufacturing a regular polyhedral ornament such as a regular dodecahedron or a regular icosahedron (2), comprising the following steps: “cutting first and second faces (31, 41) of the regular polyhedron which have

the ridges in common based on the cutting base lines (L4, L7); marking auxiliary cutting lines (L1,LH) by drawing on said first and second faces; cutting a new third regular polyhedral face (51) based on the auxiliary cutting lines and the cutting base lines; and drawing auxiliary cutting lines (L12) in sequence every time a new face of the regular polyhedron is cut from fourth (61) to 12th faces (141) to thereby cut the cubic workpiece into the regular polyhedron” **and** “cutting first and second possible cut faces (181,191), which are envisaged in an inner space of the cube, using the cutting tool into first and second faces adjacent to each other based on the cutting base lines which commonly include any one of the ridges; marking lines forming ridges of the regular polyhedron determined by intersections of the cutting base lines and the faces having been cut by drawing as auxiliary cutting lines on both the first and second faces having been cut; with a new face envisaged in the inner space of the cube being defined as a third cut face (201) based on these auxiliary cutting lines and the cutting base lines, cutting the third cut face using the cutting tool so as to be formed as a third face of the regular polyhedron; and drawing auxiliary cutting lines (“a” to “f”, “g” to “l”) every time a new face is created by cutting

in sequence, to form a cut face, thereby allowing the cubic workpiece to be cut into the regular polyhedral ornament.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Resenfeld, Marmaropoulos, Frucht, Bayer et al. disclose polyhedral ornaments respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY OJINI whose telephone number is (571)272-4492. The examiner can normally be reached on 7 to 4 Tuesday-Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272 4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AO  
1/9/08

/Joseph J. Hail, III/  
Supervisory Patent Examiner, Art Unit 3723